

NATIONAL RECORDER.

"Nec araneorum sane textus ideo melior, quia ex se fila gignunt, nec noster vilior quia ex alienis libamus ut apes."

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Communications.

FOR THE NATIONAL RECORDER.

Messrs Editors,

A correspondent of the National Gazette thinks our climate must be wonderfully changed since 1748, as appears by the following extract from a diary kept at that time.

- 1748, 11th mo. 1. Extremely cold.
6. Snowed all day.
9. Very cold—the river fast, &c.
1749, 3d mo. 7. Very cool for the season.
11. Warm day.
12. Very hot weather.
17. Pleasant weather,—green peas were plenty at market to-day, though at 4 shillings a peck, &c.

Now, I do not think it has been very uncommon to have the Delaware frozen on the 9th of *January*, or to eat green peas on the 17th *May*; and if you will consult an old almanac previous to the year 1752, you will see *January* or *Eleventh Month*, *February* or *Twelfth Month*, *March* or *First Month*, &c. Y.

Record.

Sixteenth Congress.

FIRST SESSION.

SENATE.

April 11.—The report of the committee on Indian affairs, adverse to the abolition of the present system of Indian trade, was agreed to.—The navigation bill was taken up and passed with some amendments.—The committee of conference on the Missouri expedition, reported that they had met, but could come to no determination.—The bill to increase the compensation of the district judges was rejected—21 for it and 21 against it.

April 12.—The report of the committee of conference on the Missouri expedition, was taken up, and a motion to recede from the amendments proposed by the Senate was agreed to, ayes 22. [As the bill now stands, \$450,000 are appropriated to the quarter master's department, which will prevent the expedition pushing further than the Council Bluffs.]

April 14.—The bill to direct the secretary at

war to clothe the army in domestic manufactures, was taken up and an amendment proposed, to add the words, "as far as the same can be procured as reasonably as imported goods."

April 15. The above amendment was agreed to.

April 17.—The resolution from the other House authorizing the publication of a part of the secret journal of Congress, under the old confederation, was considered and ordered to a third reading.

HOUSE OF REPRESENTATIVES.

April 11.—The military committee, who were instructed to inquire into the expediency of providing a more effectual remedy against duelling in the army and navy and in the district of Columbia, made a report, in which they state, "that they consider the existing law as amply sufficient, if executed, to repress duelling in the army," and they therefore ask to be discharged from further inquiry on the subject. The report was adopted by the House.

April 12.—Several petitions of a general nature were this morning presented and referred, or ordered to lie on the table, viz.

By Mr. Sergeant, a petition of the printers and booksellers in the city of Philadelphia, praying that additional duties may be imposed on paper imported into the United States.—By Mr. Sergeant, also, a petition of sundry inhabitants of the city of Philadelphia, praying that a duty of ten per centum may be laid on all sales at auction, except sheriff's sales.—By Mr. Baldwin, a petition from sundry iron founders and manufacturers of iron, in and near the city of Philadelphia, praying that additional duties may be imposed on iron imported into the U. S.—By Mr. Baldwin, also, a memorial of the Pennsylvania Society for the Encouragement of American Manufactures, praying that further protection and encouragement may be extended to the manufacturing interest of the country generally.—By Mr. Pinckney, a memorial and petition of sundry merchants and underwriters in the city of Charleston in South Carolina, praying compensation for spoliations committed on their lawful commerce, by cruisers under the French flag, between the years 1793 and 1800, their claims to which upon the government of France for indemnity were abandoned on the part of the United States, in the convention on the 30th September, 1800.

April 14.—The bill for the relief of the surviving revolutionary officers, was rejected.—A motion by Mr. Livermore, to discharge the committee of the whole from the further consideration of the bill which proposes to change the

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tariff of duties on goods imported, with a view to move for its indefinite postponement, was decided in the negative without debate.—Mr. Storrs offered the following resolution, and moved that it be committed to a committee of the whole, on the state of the union.

Resolved, That it is expedient to provide, by law, for the establishment of a system of internal revenue.

This resolve was referred, as moved, without debate.

Mr. Sergeant moved that the House do now resolve itself into a committee of the whole, on the bill to establish a uniform system of bankruptcy. This motion was negatived—56 to 47.

April 15.—Mr. Lowndes submitted the following resolve:

Resolved, That the committee of manufactures be instructed to report to this House such evidence, or estimates, as it may be in their power to present, showing the several rates of wages given, and the expenses of all kinds incurred, in the different branches of manufactures, which in their opinion require additional encouragement, with the prices of their product, so as to exhibit the profit, which, at the present price of subsistence, materials, and labour, and the present value of land, buildings, and machinery, may be obtained in such manufacture, skilfully and economically conducted.

The said resolution was read and ordered to lie on the table.

April 17.—The above resolution was opposed by the advocates of the restrictive system, and lost by a vote of 90 to 72.

An Act for the Promotion of Agriculture and Domestic Manufactures.

SECT. 1. That so soon as the board of commissioners and two-thirds of the grand jury of any county within this commonwealth, shall agree in writing under their respective hands, which agreement shall be filed in the office of the prothonotary of the proper county, that a society shall be established within the same, then it shall and may be lawful for twenty or more inhabitants of any such county, fifteen of whom shall be practical and actual farmers, under the name of the society for the promotion of agriculture and domestic manufactures, in and for such county, shall sign an agreement, promising to pay to the treasurer of said society so long as he shall remain a member thereof, the sum of one dollar each, or more, annually for the purposes hereinafter mentioned, and cause such agreement to be filed in the office of the prothonotary of the proper county, every such society shall by virtue of this act, become a body politic and corporate, in deed and in law, with perpetual succession, and all the rights, liberties, privileges and franchises incident to a corporation, for all the purposes of this act, and to admit new members upon the terms aforesaid: *Provided*, That the society at present incorporated under the name of the Philadelphia society for promoting agriculture, shall be deemed and taken as the society for the city and county of Philadelphia, and shall be entitled to receive from the county treasury the monies designated by the third section of this

act, and shall be subject to all the rules, regulations and restrictions contained in the provisions of this act: *And provided also*, That the association which shall have first filed their articles of agreement shall be the only one entitled to the privileges granted by this act.

SECT. 2. That the said societies respectively, shall meet at some convenient place on the Wednesday of the next court of common pleas, after the said agreements shall have been filed as aforesaid, and choose by a majority of votes out of their number, one president, ten directors, one treasurer and one secretary, who shall be officers of said society for one year and until others are duly elected: And the said societies respectively, at their first meeting shall have power to fix on the time and place of their annual meetings on such day of the year as they shall designate, which shall continue to be the day of the annual meeting of the societies respectively, until otherwise altered by a vote of the members as aforesaid, and also to make their own rules and by-laws, not inconsistent with the constitution and laws of the United States, or of this state, and to add other officers to those designated, and prescribe their respective duties: And the president and directors shall have power to summon special meetings of said societies respectively, at such other times as to them shall seem proper.

SECT. 3. That at the next assessment of county rates and levies, after said societies respectively shall have been established and organized in any county within this commonwealth, and annually thereafter, the county commissioners are hereby required to assess, levy and cause to be collected in the same manner that county rates and levies are assessed, levied and collected, an additional sum of fifty dollars for every member which said counties respectively are or may be entitled to elect to the House of Representatives of this commonwealth, and to cause the same to be paid to the treasurer of the society by warrants drawn on the county treasurer, to be expended together with their annual subscriptions in the manner hereinafter mentioned: *Provided*, That if a society shall be formed in any county not entitled to elect a member to the House of Representatives, such society shall be entitled to receive fifty dollars from the county annually, but the provisions of this act, shall in no case extend to any county until the same shall have been organized for judicial purposes.

SECT. 4. That every such society at some general meeting thereof, shall fix and determine upon such articles of agriculture, production or improvement in domestic manufactures as in their judgment are entitled to encouragement by rewards; and shall fix, ascertain and publish in such manner as shall be directed by their by-laws, such rewards and the conditions whereon the same shall become due and payable to the person or persons, who shall by his, her or their skill or industry, according to such conditions become entitled to the same: And the said directors or a majority of them, shall at their stated meetings, or at such times and places as shall be prescribed by the by-laws of such society, meet for the purpose of hearing the parties applying for such rewards, and of examining their proofs or specimens, and shall have full power and authority to determine whether any

or either of the applicants is entitled to the reward so advertised according to the conditions thereto annexed, and to draw orders to be signed by the president on the treasurer for the amount of such rewards in favour of the persons to whom the same shall have been adjudged; which orders the treasurer shall pay out of the monies in his hands, arising from the said taxes and subscriptions.

SECT. 5. That the treasurer of every society established by virtue of this act, shall once in every year exhibit to the auditors of the proper county, an account of the sums by them received from the produce of the said taxes and subscriptions, and in what manner, to what persons and for what rewards the same have been paid and expended: And the said auditors shall have the same power to settle the accounts of such society, as they by law now have to settle the accounts of county commissioners, and shall publish the same for the information of the citizens of the proper county, at the expense of said societies respectively.

SECT. 6. That each president, secretary and director of every such society, before he enters upon the duties of his office, shall subscribe a promise, to be entered in the book of their minutes and transactions, that he will well, and truly and faithfully perform the duty of a director according to the best of his judgment and skill, without fee, reward, favour or partiality; and each treasurer of any such society shall give bond with one or more sureties, in such penalty as shall be required by the president and directors, conditioned for the faithful performance of the trust reposed in him, and for the payment of all monies that shall come into his hands belonging to such society, to such person or persons, as the said president and directors shall order, or to his successor in the said office of treasurer.

SECT. 7. That rewards for promoting or increasing the culture of sugar from the maple or sugar tree, or any other substances, the extraction of salts from ashes of vegetables, the introduction of any new grain, grass or root into cultivation, the raising the greatest quantity of grain, grass or roots on any given quantity of ground, the invention of any new and useful utensils in husbandry, the raising and manufacturing of wool, hemp and flax in greater quantities, or improving the value thereof, the introduction of mineral or other manures, the improvement of the breed of horses, black cattle, sheep or hogs, the making of butter or cheese, in any given quantities, and of the best qualities, or any improvement in all or every of the articles aforesaid, shall always be considered by the said society as among the objects contemplated by this act.

SECT. 8. That in all cases when monies may remain in the treasury of any such society, after the payment of the rewards aforesaid shall have been made, the president and directors of such society shall have power to employ the monies so remaining, in the purchase of books relating to agriculture, mechanics and manufactures, or in the purchase and improvement of a piece of land more or less, for the purpose of a pattern farm.

SECT. 9. That the secretary of each society, formed or adopted by virtue of this act, shall

draw up annually a statement of the transactions of the year, and transmit the same to the secretary of the commonwealth, whose duty it shall be to cause the same to be bound and deposited in the library of the commonwealth.

SECT. 10. That the provisions of this act be, and the same are hereby continued in force for eight years and no longer. W. M. FINDLAY.

Approved—6th March, 1820.

BANKRUPT BILL.

The following letter from the Hon. Mr. Otis, to the Hon. Thos. H. Perkins, of Boston, gives the causes which operated to produce the failure of this bill in the Senate of the United States.—*Cent.*

Washington, April 1, 1820.

Dear Sir—You will probably have learnt from the newspapers that the bankrupt bill is finally lost in the Senate. Although I am inclined to the belief that there was not at any period of the session a majority of that body in favour of such a bill in any shape; yet, as some of the most zealous friends of a bankrupt act at last voted against its passing, and myself among the number, I am desirous of explaining my reasons for a course which I was compelled, with great pain, to pursue. In the progress of the bill, various amendments had been adopted, (and among them one proposed by me on the suggestion of others) which I considered as blemishes rather than improvements of the original features, but in which I acquiesced in the hope of reconciling opponents, and with a disposition to yield to every innovation in the system that would not change its nature and defeat its end, rather than abandon the experiment. But at a moment when its progress was the most encouraging, amendments were proposed by a gentleman from Delaware of a character so exceptionable in my view as entirely forbade my support of the bill after they became engrafted upon it. The scope of these amendments went to authorize *any person* imprisoned upon a *bona fide* debt of two hundred dollars and upwards, and *any person* indebted to an individual in the sum of one thousand dollars, or to two or more individuals in the sum of fifteen hundred dollars, to become *voluntary* bankrupts. In other words, to metamorphose the bankrupt act into an *insolvent act*, and that not of a general nature, but with partial and whimsical limitations. This plan, (besides the general objections to the incorporation of two systems so distinct in their nature and applicable to persons in dissimilar conditions) was obnoxious to the following exceptions:—

First, It extended to debtors imprisoned for the sum of two hundred dollars and upwards, while the numerous class of poor and indigent prisoners confined for petty debts, were excluded from its benefits. And it is impossible to assign a reason for this rigorous distinction at the expense of this suffering description of persons, who have at least an equal claim to compassion and relief under an insolvent act, with others more deeply in debt.

Secondly, Persons not actually imprisoned, but indebted in sums less than one thousand dollars were debarred from the privilege of be-

coming voluntary bankrupts, so that "the net was to hold the little fish while the great ones would break through."

Thirdly, And principally, this faculty of becoming a voluntary bankrupt was to be exercised at the will of the debtor; while no power to make him a bankrupt *on any account* whatever was given to his creditors. In other words, it was a privilege given to persons of all professions and callings, (who were expressly saved by the act from liability to bankruptcy at the will of their creditors) to make themselves bankrupt in contempt of their creditors—a project which appeared to me to be pregnant with injustice, inequality and fraud.

In addition, It was thought necessary to provide that those who intended to avail themselves of this voluntary bankruptcy should first give bonds in a penalty of one thousand dollars to defray all the expenses of the commission, &c. A condition with which it would be rarely in the power of any person imprisoned *bona fide* for a debt of two hundred dollars to comply.

Upon finding that these amendments had friends enough (with the aid of gentlemen professing themselves rather adverse than otherwise to a bankrupt act in any form) to secure their adoption, I had determined, though reluctantly, to relinquish my objection to the union of the two objects, if the mover would consent to provide by a summary process for all cases of insolvency, and place the creditor and debtor on the same footing. But my overtures were ineffectual, and indeed I should probably have been the only person among those who finally voted against the bill, who would have been reconciled to it, if this proposal had succeeded.

Thus was I constrained by a sense of duty and justice to vote against an act which I had laboured with great sincerity and diligence to procure.

On the next day after the rejection of the bill, I was induced, upon the suggestion of the gentleman who had patronized the amendments, and of some others, to move for a *reconsideration* of the vote, with an expectation now authorized that the amendments might be modified or withdrawn. But this motion was also lost by two votes, and this last result more than any other occurrence, confirms my impression that there has not been, at any time this session, a decided majority in Senate, favourable to any bankrupt system. On the other hand the opposition is not violent or strenuous, and though bankruptcy is now pre-eminently an affliction in which "hope deferred maketh the heart sick," I cannot but persuade myself that another year will not pass away without a statute upon this important subject.

I am, dear sir, very truly and respectfully,
yours,

H. G. OTIS.

Hon. T. H. PERKINS.

University of Pennsylvania.—At a public commencement held on the 6th April, 1820, the degree of Doctor in Medicine was conferred upon seventy-nine gentlemen.

From Massachusetts	2
New Jersey	5

Pennsylvania	23
Delaware	2
Maryland	1
Virginia	28
South Carolina	7
Georgia	4
Kentucky	2
Tennessee	3
Ohio	1
Missouri	1

THE DEAF AND DUMB.

At a meeting of a number of gentlemen to consider the propriety of establishing "*an Institution for the Instruction of the Deaf and Dumb*," at the Hall of the American Philosophical Society—Wednesday evening, 12th April, 1820:

The Right Rev. William White was requested to take the chair, and William Meredith appointed secretary.

Mr. Roberts Vaux stated to the meeting, that the attention of himself and others had been directed to a school recently established and supported in this city by David G. Siexas, who, having acquainted himself with the modes pursued in Europe for educating the deaf and dumb, had for some months past applied his knowledge and talents in the most unostentatious manner to that benevolent object. That this humane individual had, without pecuniary aid or recompense, successfully instructed eleven or twelve children labouring under the deplorable privation of the sense of hearing and of speech. That there was reason to believe the number of these unfortunate persons in this city and its neighbourhood, much exceeded what was generally supposed; and that these circumstances had led to the project of establishing an institution for their relief, for which purpose this meeting had been called.

Mr. Vaux then submitted a plan for establishing and organizing such an institution in this city, which was read, and, on motion, committed to Messrs. Roberts Vaux, Horace Binney, Dr. N. Chapman, William J. Duane, James N. Barker, Clement C. Biddle, and John Bacon, who are to consider and report thereon, with such alterations and modifications as they may think expedient, to the next meeting.

And this meeting was adjourned to meet at this place on Saturday evening next, at half past 7 o'clock.

On Saturday evening an adjourned meeting was held, at which the committee appointed at the last meeting reported a preamble and constitution, which being read, was considered by paragraphs, and adopted with amendments.

The committee who reported the constitution, were requested to take such measures as they may deem expedient to enlarge the number of members, and to prepare and report to the next meeting by-laws for the government of the institution.

Resolved, That when this meeting adjourns, it will adjourn to meet at this place on Saturday evening next, the 22d instant, when the attendance of those also who in the meanwhile shall become members, and of all who are friendly to the object of the institution, is requested.

Adjourned, WILLIAM MEREDITH, Sec'y.

SPAIN.

By a late arrival from Rochelle, important and pleasing intelligence has been received from Spain. The revolution has been conducted with so much moderation and firmness, that the king has been brought over, and agreed to acknowledge the constitution and re-establish the Cortes as it existed in 1812. The following are extracts from French papers.

Bordeaux, March 14, 1820.

The insurrection has at length become general in Spain. A courier who arrived here yesterday, brought intelligence from different provinces, proclamations from various constitutional chiefs, and several new journals, from which, on account of want of room, we can make but few extracts. The intelligence brought is further confirmed by a Russian courier, who passed through here yesterday, and who had quitted Madrid on the morning of the 9th instant. He adds, that after the almost unanimous declaration of the army and people, and the energetic demonstration of general Ballasteros, the king found himself obliged to proclaim the constitution of the Cortes, the same as we announced yesterday.

The prisons of the inquisition were universally thrown open, and a general amnesty was about signing when the Courier left there.

Saragossa, March 7.

Never has a political change been brought about with so much tranquillity and union. The constitution has been proclaimed the day before yesterday by all the people, and the garrison composed of two regiments of infantry and one of cavalry. Military music and a general illumination terminated this memorable day. The joy of the people of Arragon was at its height. The marquis d'Alazon, captain general, has been confirmed in his command, and the count de Castrezon, who had replaced him by order of the king, has been arrested and sent back to Madrid.

Madrid, March 6.

All has terminated happily; the weakness of the government against the immense force of public opinion, does not even give time enough to organize the contest between light and darkness. The count d'Abisbal, who called himself the friend of Ferdinand, has gone to Ocana, where he has put himself at the head of a regiment commanded by one of his brothers, and has arrested the public authorities and proclaimed the constitution. He continues the same operation in the different towns of the channel.

Several piquets of cavalry from this garrison and many gardes du corps have deserted with their arms and mountings. All the corps of engineers and sappers which were at Alcala, have disappeared. Finally, all the provinces are declaring themselves and constituting provisional governments. All these events, which follow each other with such rapidity, have forced the king to declare that he would consent to the wishes of the people, who show the most lively movements of joy, and we hope that this great crisis will be terminated without the smallest misfortune.

It is asserted that general Freyre, in concert with the patriots of the Isla de Leon, has likewise proclaimed the constitution, which has

been published at Segovia, and fixed up in every quarter; but a foolish ecclesiastic, who had the boldness to tear down one of these bills, was immediately put to death.

Vittoria, March 9.

Saragossa has proclaimed the constitution; Carthagena has done the same; and it is said that Catalonia has followed the example. The eighth of this month the king was to publish it in Madrid. The funds have been already negotiated at 70 fr.

Bayonne, March 11.

We have news from every part of Spain; the insurrection is general. Mina organizes it, and has proclaimed the constitution at San Estevan. Below is his proclamation, and several others from Arragon and Galicia, which will inform you of all that has taken place.

The worthy deputy, Munor Torrero, one of the victims of the 10th May, 1814, and the first who proclaimed in the Cortes the sovereignty of the people, having shown himself at Corunna, was immediately named member of the government of this province.

Madrid, March 8.

I embrace the opportunity of a courier going to Paris, to send you the enclosed gazette.

The joy of the people is at its height; the cries viva la constitution, resound through all our streets. Every thing has been effected in the greatest order and without bloodshed. This change must certainly astonish all Europe. Soldiers, as well as the people in general, evince the most lively joy. I come this moment from the royal palace, where the repeated vivas of the people have induced the king to present himself twice on the balcony.

*Gazette extraordinary of Madrid,
Wednesday, 8th March, 1820.*

OFFICIAL ARTICLE.

It has pleased the king our sovereign to address to all the secretaries of state, the royal decree which follows:

To avoid the delay which might arise from the doubts entertained by the council in execution of my decree of yesterday for the immediate convocation of the Cortes, and being the general will of the people, I have decided to swear to the constitution proclaimed by the general and extraordinary Cortes, in the year 1812. Do you hold it as understood, and do you make immediate publication of this.

Signed by my royal hand,

FERDINAND.

Palais, 7th March, 1820.

Nullity of Marriage.—On the 23d of February, in the Doctors Commons, the long pending case between Johnson and Parker, was decided. This was a suit of nullity of marriage, promoted by Harry Johnson, the performer, against Annette Parker, otherwise Johnson, on the ground of minority and non-consent of parents on the part of the husband (after residing together for nearly twenty years as man and wife, and having seven children). The court was of opinion that the evidence at length produced was sufficient to establish minority and non-consent, as required by act of parliament, and accordingly pronounced the marriage null and void.

Maine, Jan. 28.

During the late inundation of the Rhine, a hare, dislodged by the water, took refuge on a tree. One of the boatmen who were traversing the inundated country, in canoes, to pick up the sufferers, observed the hare, steered for the tree, and without making his boat fast, climbed hastily up to seize the poor animal. The hare, perceiving his danger, sprang from the tree into the boat, which was put in motion by the leap of the hare, leaving the boatman in his place upon the tree, in the disagreeable necessity of watching the rise of the waters.

Augustus William Schlegel, who was appointed professor at the new Russian university at Bonn upon the Rhine, has asked his dismissal. This is probably in consequence of the strict surveillance under which the university has been placed.

A plot to fire the city of Savannah has been discovered, and several of the incendiaries arrested.

Deaths in the city of Philadelphia, from the 8th to the 15th, 54.

Miscellany.

AGRICULTURAL MEMORIAL,

Presented to the House of Representatives.

At a special meeting of "The Virginia Society for promoting Agriculture," held at the Eagle Hotel, in Richmond, on the 12th of February, 1820, the following memorial was unanimously adopted, and ordered to be transmitted to Congress, through the hands of the member for this district, after being signed by the vice president and secretary of the society.

The memorial of "The Virginia Society for promoting Agriculture," to the Congress of the United States, in opposition to the several memorials and petitions praying for additional duties upon foreign imports, respectfully states:

That, although the right of the citizens of the United States to address their representatives, be a first principle in our government, your memorialists are no advocates for the exercise of it, except upon occasions which do or may materially affect either individual or national interests. Such we consider the one which has been the cause of our present meeting. And however well inclined we may generally feel tacitly to repose full confidence both in your inclinations and ability to promote the general good, yet we should deem ourselves guilty of an inexcusable dereliction of duty were we now to remain silent, when a question so deeply interesting to the whole agricultural people of the country has been forced upon your attention by the urgent importunities of our domestic manufacturers and their friends, to impose additional taxes upon foreign imports. We aim not to arraign their motives; but the purpose for which you are thus assailed seems to us not less impolitic and unjust, than their arguments and pleas appear unsound and fallacious. Thus, upon the assumption that agriculture, manufactures, and commerce, are naturally friends and allies,

and equally entitled to the protection of government—to all which we readily agree—they confidently ask you to make that protection unequal, by imposing additional duties and restrictions upon *two* of these allies and friends, to benefit the *third*! That any further tax upon foreign commodities must operate in this way, is most manifest, notwithstanding the protestation that "the good of the whole" is the motive for asking it. If this be the species of protection which they seem to claim, as matter of right, we differ from them most essentially; for the only kind that in our view government can justly bestow, either on commerce, manufactures, or agriculture, is to guard their respective rights from violation. The moment she attempts to interfere with the investment of their capital, or the regulation of their profits, she hazards the conversion of this natural friendship and alliance into enmity and contention. Her constitutional right to regulate the one, can never without an utter perversion of language, be construed to mean the power of checking or destroying either of these three great sources of national wealth; because every power of our government, at least, was given to benefit, not to injure, the people governed. It is not enough, therefore, to say of any measure that it is *designed* to promote the general welfare; it must *actually do it*, or *manifestly have that tendency*, not to violate the spirit of the constitution.

Again; because they, the manufacturers, have suffered enormous losses and privations since the peace, it is strongly insinuated that your honourable body are solely to blame for it, inasmuch as you have failed, when imposing taxes, exclusively almost for their advantage, to make them sufficiently high to destroy foreign competition. A reference to their prosperity during the war, when they had the benefit of monopoly prices, (as we have all sufficiently felt,) and their claiming a resuscitation of this prosperity from your hands, appears to us equivalent to an assertion, that the national legislature is, in *peace*, to guaranty every speculation into which the lust of gain, or the improvidence of visionary theory, during *war*, may betray men of avaricious and sanguine dispositions. If any man, or set of men, either in peace or war, voluntarily engage in a business, which turns out a losing one, can there be any justice in taxing the whole nation to make good his or their losses, be the pretext for the undertaking what it may? Do they complain of sufferings and losses? What class is there who have not participated in them? Have the agriculturists been exempt? If not, how would our manufacturers like a petition from the cultivators of the soil, to prevent them from buying any but the native productions of our own country? Or what would they say to a request from any one state in the union, on the plea of having suffered most, to compel the manufacturers to purchase bread stuffs, cotton, and tobacco, exclusively from that one? The glaring injustice of such a proposition would be denounced, and very properly too, by every manufacturing establishment in the United States. Yet, where is the difference in effect between *one state's* asking such an advantage over the rest, and *one class*, a minor one too, praying for a similar privilege over the other classes, by seeking to compel them to buy what

they want only of them? Neither the investment nor direction of individual capital, nor the adjustment of those losses and gains resulting either from its good or bad management, have ever appeared to us to be matters with which government could legitimately concern. If this position be true, and to us it seems demonstrable, the following inference must be most obvious—that the claim of our manufacturers to congressional interference in their behalf, by a tax, no part of which they are to pay, cannot be sustained upon principles either of equity or constitutional law. If they have chosen to conjecture that they were to be kept up by the nation, cost what it might; that they alone were with impunity to erect palaces, instead of simple manufacturing buildings, and to spend in the structure and equipment of these, such enormous sums as to leave little else besides the delusive hopes of exorbitant profits to carry on their business; that agriculture was to be taxed ad libitum, either through foreign imports, or in some other way, to compensate them for every failure, the whole error in these unreasonable calculations being their own, so should be the total loss. No speculation originally bad, from violating the true principles of national policy, can ever be made good, merely by government's undertaking to reimburse the losers. This only transfers the loss from those who ought to bear it, being their own contrivance, to those who are innocent of all participation in the blunder. Should these sentiments subject us to the imputation of disregarding the misfortunes of our fellow citizens, we may safely urge in our defence, that, had we been originally deficient in our due sense of humanity, which we by no means admit, the pressure of the times has borne sufficiently hard on us also to inspire abundant sympathy for all their sufferings. But individual and voluntary beneficence, we contend, is the source alone from which these should be relieved, when beyond the exertions of the sufferers themselves: not from the coffers of the government, and still less by the imposition of partial taxes, either direct or indirect. In the body politic, as in the body natural, there are certain diseases so complicated and inscrutable, that it is safest to leave them to work their own cure. The *vis medicatrix naturæ* is the best physician in all such emergencies; for, if the government undertakes to play the doctor, the patients are much oftener killed than cured by the prescriptions.

But there is another ground on which you are importuned to grant the prayer of the petitioners, that we cannot omit to notice. You are confidently told, that such a measure will "promote national industry;" and, upon this plausible pretext, you are asked to impose a tax, to be paid by agriculture, for the benefit of her friend and ally, manufactures. This, it is true, has not been said in so many words by the petitioners; but, we confess our incapacity to see their object in any other light. That the temporary interests of our manufacturers would, for a time, be promoted by such a tax, we have no doubt whatever; but we have yet to learn, that they constitute the nation. If they do not—if they compose but a small part of it—if a very large majority of the whole people have any superior claim to be called "the nation"—and if this

majority in our country be the agriculturists, then are we prepared to show, that national industry, so far from being promoted by it, will be most injuriously checked; if not, in a great measure, destroyed. At this advanced stage of political knowledge, we had hoped, that there never could be an occasion, in *our country* at least, for the recapitulation of certain first principles in political economy, which, from the universality of their adoption by all the ablest writers on this science, may almost be pronounced axioms. Yet, this seems to be rendered necessary in self defence, by the recent justification of departure from the so long acknowledged maxim—"that the many should not be taxed for the benefit of the few;" and by the attempt to show the impolicy of "purchasing where we can purchase cheapest;" both of which we perceive in some of the late addresses in behalf of our manufacturers. National industry can only be promoted, by finding ready and extensive markets for that which it produces; and the continued exertion of this industry depends upon the extent and constancy of these marts, where national superfluities may be exchanged for each other, on the best attainable terms. Every limitation, therefore, of these markets, whether created by our own, or by a foreign government, must inevitably have the effect of discouraging, in a proportionate degree, the national industry: because the stimulus which imparted and continued its motion, is diminished or destroyed. "How ridiculous, then, to attempt to increase this industry, by having recourse to prohibitory enactments? If we will not buy of foreigners, foreigners cannot buy of us? The restrictive system, if carried to its full extent, would shut us out of every market. It would not merely diminish, but totally annihilate the commerce of the world." Now, although the false policy of some of the foreign governments with whom we have commercial relations *has* diminished the markets for our products, can this be a sufficient reason on our part for a policy which will decrease these markets still more? Can any man believe that a total prohibition of foreign imports could create a number of domestic manufactures adequate to the consumption of all the surplus productions of our agriculture? If not, how is a partial prohibition to have that effect; as it can only substitute a small domestic market, with reduced prices for *our* labour, and enhanced ones for *theirs*, in lieu of all that portion of the foreign market which such partial prohibition would extinguish; incumbered too, by the additional duties to be transferred from our pockets to those of the domestic manufacturers, and reducing the revenue at the same time, in such a manner, as to require further taxes on agriculture; the paymaster general, to support the government itself? Compel the cultivator of the soil to pay more for what he wants, by excluding, or raising the price of foreign commodities—take away, or diminish simultaneously his chance of selling what he makes, at the best prices he can; and we shall, by forcing agricultural capital to seek other channels, not only, very soon reduce the quantity of agricultural products within such limits, as no longer to excite the sympathies of our manufacturers for our difficulties in getting rid of the excess; but, bring about a state of

things, after a lapse of a few years, when our surpluses of all sorts will be converted into deficits, and we may all have the consolation, if it be any, of starving together.

It is by the productive labour alone, of any country, that capital is augmented; any thing, therefore, that sets this labour in motion, and continues its activity, necessarily increases national capital. But the most powerful by far of all these stimuli, is free trade; and the more extensive it becomes, the greater will be the quantity of productive labour employed, and the more rapid the augmentation of permanent wealth. "Commerce being nothing more than an exchange of equivalents," there can be no greater absurdity than to suppose that the importation of foreign commodities has a tendency to impoverish a country. "*For whatever we purchase, must be obtained with the produce, either of our land, capital, or labour;*" and the commodities bought, are equivalents for such portions of the product, either of the labour, the capital, or the lands of the country, as have been employed in obtaining them. If those to whom we sell, should happen to make a greater profit from *their industry* than we do from *ours*, this circumstance does not affect the truth of the general principle; for so long as the sellers in both cases find a ready market for what they make, so long must national industry be promoted in both; and so long will national capital, which depends upon the constant exertion of this industry, continue to be augmented. The ratio of increase may be greater in one country than in the other; but still, *it is gain* in each; nor can we perceive even the shadow of plausibility in the sophism which would make it any thing else. "To whatever extent we may purchase of other nations, they must inevitably be compelled, directly or indirectly, to purchase a corresponding quantity of us," and, vice versa, the less we buy of them, the less they can buy of us. But if the permanent prosperity of all countries, so far as it results from wealth, depends upon the continual increase of productions, and the ready sale of the surplus, can we rationally expect the mere exchange of a foreign for a domestic market, such as ours—that is, a market in expectancy, to produce this effect! Suppose the substitution made, and imagine, that, to gratify our manufacturers, the strong arm of power shall check or annihilate our foreign markets to the extent they wish, and leave us to take our chance for one at home—will the same arm, at the same time, legally compel these manufacturers to buy all our produce at fair prices—since we shall be virtually compelled to purchase theirs, at what prices they please? If not, what is to become of that salutary principle of competition, which is our only security against exactions on the one hand, and for fair profit on the other? But, say they, it is high time to turn our eyes homeward for markets, when we can see nothing for our produce abroad, but losing prices or total exclusion; yet the whole basis of their application to your honourable body is, the assumption that foreign commodities abound so much in our country, as to prevent them from living by the manufacture of domestic ones. How these goods get here without some equivalent being taken in exchange for them, and of course some market,

a pretty extensive one, too, being open for its reception, is a mystery which we shall leave them to explain. Certain it is, that both parts of their dilemma cannot be true. If we have a vent abroad for our products, to complain of wanting one, contradicts a plain matter of fact. On the contrary, if we have little or no foreign market, we can receive but few or no foreign commodities, and of course the manufacturers need not fear a competition which does not exist. But we do not deny that our foreign markets *have decreased*, and we will add, from causes beyond our control; yet surely this can furnish no reason for decreasing them still more by our own acts. It would be the old project in a new form—of cutting off men's feet to save shoes. The end of all commerce is certainly to increase production, and though partial loss may possibly accrue from this increase, yet the general happiness must be augmented. As well might we endeavour to arrest all improvements in agriculture and manufactures, and all inventions of machinery; for, though these contribute to general abundance, and therefore to the general happiness, they never fail, at the moment of their introduction, to deteriorate or annihilate a part of the existing capital of farmers and manufacturers." These are nearly the words of one of the ablest political economists of the present age, as quoted in a late public journal of established reputation; and in our judgment amount to a demonstration of the impolicy and injustice of any legal exclusion of foreign competition from our markets. It would, indeed, be an act of sore oppression thus to create, at our expense, a virtual monopoly in favour of our domestic manufacturers, who unless they differed from all the men who ever have been placed in similar circumstances, would not fail to make us pay in the price of their commodities, the whole difference occasioned by the excluding duty. We are far from asserting, that they would do wrong to avail themselves of such an advantage; we believe all classes would do the same; but we cannot silently submit to be placed in any situation where we should be subjected to the double loss of enhanced prices for what we bought, and reduced ones for all that we sold.

If there be any truth in the foregoing arguments, it is manifest that production and consumption mutually increase each other; that by this increase, and by this alone, national industry is promoted, national capital augmented, and national happiness, so far as it depends on wealth, ensured. Let us, then, no farther pursue the policy of controlling them by legislative enactments, the obvious and inevitable tendency of which is to counteract all these beneficial results.

Although the general reasoning herein contained, be opposed to the whole system of duties upon imports, we only desire, for the present, to prevent the slightest extension of it. We have no wish to be understood as aiming at the abolition of all taxes whatever, upon foreign commodities. To a certain extent we believe such taxes as eligible, perhaps, as any others; but we take this occasion to say, that many of them have appeared to us already too high, and that the nearer we can possibly approach to free trade with all the world, and equal taxa-

tion among ourselves, the better. Every departure from these great principles is calculated to work injustice, by drawing money unequally from the members of the community; because it must necessarily press chiefly on the consumers, who are principally agriculturists; and by diminishing consumption, from rendering it more costly, must check, in a proportionate degree, the national industry among that class, where it is most productive. If all classes are, in reality, not in profession alone, *equally* entitled to the protection of government, there is surely a corresponding obligation on all to contribute *equally* towards the support thereof. Nor does it appear to us, that the circumstance of other nations adopting this pernicious principle of checking or altogether prohibiting, by excessive duties, the introduction of our commodities, can furnish any valid reason for us to retaliate in the same way, under the delusive notion that it is a countervailing policy. Studiously to avoid receiving a benefit, from a belief that we shall thereby injure those who attempt to injure us, is a mode of counteraction which inevitably inflicts as much mischief upon ourselves, as it can possibly occasion to others. It may truly be called (to borrow the language of Mr. Jefferson), "the unprofitable contest of trying which can do each other most harm." Does not the true countervailing policy rather consist in doing every thing we can to render all articles of home consumption, derived from other countries as cheap as possible; because, the more you increase consumption, the greater activity you give to the productive industry of the nation, by which alone the articles to be consumed can be purchased? The conduct of other nations, it is true, may impede this industry, if they choose to injure themselves, in order to achieve so hopeful a project; but it depends in a great measure upon ourselves, whose staple products are articles of the first necessity, how far these impediments shall extend. If the circumstance of excluding our productions from foreign markets, is the cause which creates this check, the effect must certainly be much the same, whether the exclusion be the work of our own hands or that of foreign nations alone; and such exclusion is as readily accomplished by refusing to take foreign commodities, as by directly prohibiting ours from going abroad; simply because it is impossible to sell unless we will buy. But to aid other nations in injuring ourselves, is a species of revenge which we confidently trust the lawgivers of the land will ever be too wise to pursue.

In submitting these views to your honourable body, your memorialists do not pretend to suggest any thing new. They have merely endeavoured to condense and exhibit the chief principles, arguments, and illustrations applicable to their present purpose, of several of the ablest political economists, that the world has ever seen, who have enforced their favourite system with all the power of which political reasoning seems to us by any possibility susceptible. Still less, do your memorialists pretend to present their opinions by way of information, in regard to matters, upon which they doubt not your competency wisely to decide. But they have thought it just to themselves, as well as to all those who depend upon them, not to remain si-

lent on the present occasion, lest that silence should be construed into an acquiescence in doctrines, not less injurious to their best interests, than to those of the United States.

The most unrestrained freedom of exportation and importation should be the aim of all the nations of the earth; and the nearer any one nation can approximate to that state of things—however other nations may labour to prevent it, the sooner will she acquire all the power and prosperity which she is capable of obtaining. All the difference will be, that, she will not attain them quite as soon, as if the principle of unrestrained national intercourse were universal. We hold it to be a maxim demonstrably true, "that government should in no case interfere to adjust the losses and gains of its citizens or subjects; but continually aim to remove every obstacle which may stand in the way of the accumulation of wealth, and the development of the powers and resources of talent and industry, not, certainly, to pamper and enrich one class of producers at the expense of the community." We consider it a truth equally irrefragable, "that, to prohibit a great people from making all they can of every part of their own produce, or from employing their stock and industry in the way they may judge most advantageous to themselves, is a manifest violation of the most sacred rights of mankind."

How far these principles, as well as those which we have previously stated, apply to the projects of our manufacturers, we now submit it to your honourable body to decide.

JAMES N. GARNET, Vice-President.

JOHN ADAMS, Secretary.

CHEROKEE INDIANS.

The writer of the following very interesting letter is a Moravian clergyman of great respectability, who began a mission among the Cherokees about the year 1802, and has resided a considerable time among them. The venerable person to whom the letter is addressed, the Rev. John Heckwelder, of Bethlehem, in this state, is well known as the author of a remarkable and popular "Historical Account of the Indians," &c. [*Nat. Gaz.*]

Salem (N. C.) 6th March, 1820.

My Esteemed Friend—Having come from the Cherokee country a little before last Christmas, I found so much on hand for me to do, from which I have just now a little emerged, that I could not spare a moment to communicate with my friends; having also, since brother Kramsh's removal into Salem, the charge of the Hope congregation. I beg that this may be the apology for not writing sooner to you. Our brother Charles R. Hicks, who is a very intelligent half Cherokee, is very well read, and thoroughly conversant with the customs, manners, and laws, both of the

Indians, and citizens of the United States, informed me, when there, that he had read your book with great attention, and that he finds it a correct statement; also that many things therein said of the northern Indians, apply equally to the southern. Also, that the Cherokees call the Delawares their grandfather, and that a town in the Cherokee country, viz. Pinelog, was ever appropriated to the use of the Delawares, and is so still. Indeed the Cherokees are not now what they were formerly, and are nearly metamorphosed into a civilized people. A resemblance of their former manners and living is yet seen only with those living in the mountains, in the valley towns.

It is impossible that any one, viewing the Indians as savages, can have an adequate idea of the present generation of Cherokees living west of the mountains. All those that still prefer the life of a hunter, are gone to the Arkansaw, west of the Mississippi; those east of it do not, nor can they make their living by hunting: they are more like our farmers in new settlements, and a few are already quite respectable agriculturists. The majority live and fare nearly like our farmers, and a few begin to live in style. Many have negro slaves, to whom they are indulgent masters; have large, and some fine and well cultivated plantations: have horses, cattle, hogs, and sheep, in abundance; also, goats and mules. Many have wagons and teams, and wagon roads are from one plantation to another. Some have good gardens, also apple and peach orchards, and some cherries. Spring houses present themselves where a dairy is kept, and good butter and cheese made. You may travel among them, and not pass a day on which you have not a good cup of coffee presented to you. You meet with some good houses, with stone chimnies, partly two stories, and fire places below and above. Some brick houses even are erected. Schools, upon respectable plans, are erected, and with the greatest good success; and besides the public schools, several private ones are established in some neighbourhoods—and it is a general wish, that schools be established in all directions.

The decrees and laws of their council conform more and more to the customs and laws of the United States. Matters for the consideration of the council are prepared by a committee, consisting chiefly of well informed half breeds. To the council a clerk's office is attached, where every thing is put on record, and that in the

English language; and their decrees and orders are printed at Knoxville, in the English language, in sufficient number to be distributed among the principal families, in order to come to the knowledge of all. The English language begins to prevail more and more, and in a generation or two will be the predominant one, when, with great safety, the Cherokees will be ripe to be admitted into the compact of the union. There are several public highways, and many private roads; also, two post offices, one at Rossville, near Chickamauga, and the other at Spring Place. But, mark, this cultivated part of the nation lives together on single plantations, and not in towns, and is becoming wealthy. Those who live yet together in the valley towns, remain poor, and the baneful influence of their living together is seen throughout. The more cultivated Cherokees admit, that it will not do for them to live in compact towns; and say, when the nation is so far advanced, as to have regular mechanics among them, it will then only be expedient to have towns, where mechanics may settle together, and carry on their trades. What, in this part of the nation, is called a town, is the same with what with you is called a township.

Bridges and ferries are established and maintained by the Indians across water-courses, where you regularly pay for your passage, but are at liberty, if you choose, to pass the adjoining ford. On the high road, from Georgia to West Tennessee, are two toll-gates, where all passengers, except natives, missionaries, and *school-masters*, pay a toll, which goes into the treasury of the nation: the treasurer is our brother Charles R. Hicks. From the treasury the national expenses are defrayed—as the expenses of the council, of printing, of messages, the repairing the public roads, &c. The country, when I was there last autumn, was full of Yankee pedlers, with their tin carts, or gunboat wagons. These the late council taxed eighty dollars a year. They must first obtain a license from the agent colonel Meigs, and then go to the treasurer and pay the tax. Without showing forth a license, with a receipt from the treasurer endorsed on it, they will not be suffered to pass. They have native storekeepers among them, chiefly half breeds, some of them excellent men, who taxed themselves twelve dollars a year, for the benefit of the nation. No white storekeeper is to be settled among them; nor can they, without paying the Yankee tax, be allowed, on pretence of a thoroughfare, to traffic or

peddle. However, iron, salt, coffee, sugar, and other heavy articles, are allowed to come in and to be sold by any one, without being subject to any tax. By a decree of the late council, no white man, otherwise permitted to reside in the nation, is allowed to marry a native, without being, in a regular way, joined by a regularly ordained minister of the gospel, or a lawfully authorized person; nor must he have more than one wife. The reason is, that complaints have been lodged before the council, that immoral persons leave their wives and families in the settlements, and come in and marry Indian girls for a while: I was one of the complainants. Some white mechanics are permitted to reside in the country; after their character has been investigated, a permit is granted them by the council; or during its recess, brother C. R. Hicks is allowed to do it. All such have permission granted them to cultivate twelve acres of land for their support.

The Cherokees have established a permanent seat of government on the Coosa river, just below the confluence of the Connewaga and Justenawly, which they call Newtown. I attended their first council there. The buildings are but temporary, and put up in haste for the occasion, and consist of two open council houses, opposite to one another, and a log building for the clerk's office. The necessary buildings are intended to be erected, after some time, in a more permanent and convenient style. I was at the opening of the council, which was on a Sunday; for on the day before some unforeseen hindrances occurred. It was past noon, the council had convened, and a multitude of people gathered. Nothing was done, and all seemed to wait with anxious solicitude. All at once a troop of horsemen were seen coming along the road, through the vista of the trees, with a stately looking person in front. A little way from the council they alighted, tied their horses to the bushes, ranked themselves immediately into fine order, and marched two in a file towards the council house, with the stately person before them, whom I observed, on drawing nearer, to be the Cherokee, *Ridge*, the speaker for the people, and who is reported to be the greatest orator in the nation. Coming up before the council, who were seated, all ranged in fine order around *Ridge*, who made a speech to the council of some length; the greater part was but complimentary, mentioning that the confidence of the people had but lately elected the council; that they now have met, for the first time, at their lately

established seat of government: adverted to the wisdom of the council, and entreated them to consider the welfare of the nation, so that the confidence of the people reposed in them might not be disappointed. After which, one of the chiefs, *Going Snake*, made an answer, assuring the people of their desire that the confidence of the people should not be misplaced. Then *Ridge* handed them a twist of tobacco, of which every one of the chiefs cut a small piece, and then the principal chief, *Parhkiller*, ended the introductory ceremony with a short address. This being over, I was requested to preach a sermon, which I did, first singing a hymn, in which I was assisted by the Rev. Mr. Posey, a Baptist preacher, who was present; and by many others. In the prayer, I included the council and the whole nation. After the sermon was over, brother C. R. Hicks, who sat close to me, translated the substance into the Cherokee language. Mr. Posey then offered an admonition to the people, sang another hymn, and made the concluding prayer. The great multitude were so orderly and silent during the whole transaction, that you might have heard a pin fall. They were afterwards much rejoiced at the proceeding, and called it the dedication of their council house. Whilst at the council, a white man was brought in prisoner, charged with horse-stealing. He was treated very humanely—all indulgence allowed him—had a full hearing and trial for three days, and was privileged to defend himself by witnesses or otherwise. It was evidently seen that some of the committee, before whom the trial was, wished he could exculpate himself; but this he could not do. Having been found guilty, he was sentenced to fifty stripes on his bare back, which was forthwith executed; and he was ordered to quit the country in ten days, and never to return. I am, ever, your very much obliged friend,

ABRAHAM STEINER.

Rev. John Heckwelder.

From the Petersburg Intelligencer.

THE NOTTOWAY INDIANS.

The only remains in the state of Virginia, of the formidable tribes which once composed the Powhattan confederacy, are the Pamunkeys and Nottoways with a few Mattaponies. The following description of the Nottoways we have received from a friend who lately visited their settlement.

The Nottoway Indians, in number about

twenty-seven, including men, women and children, occupy a tract of seven thousand acres of excellent land upon the west side of Nottoway river, two miles from Jerusalem, in the county of Southampton.

The principal character among them is a woman, who is styled their queen. Her name is EDIE TURNER; she is nearly sixty years of age, and extremely intelligent; for although illiterate, she converses and communicates her ideas with greater facility and perspicuity than women among the lower orders in society. She has a comfortable cottage, well furnished; several horses and cows; and keeps her portion of the settlement in a good state of cultivation.

The ancient Nottoway or Powhattan language is only known to the queen and two other old Indians. This language is evidently of Celtic origin, and appears equally harmonious and expressive as either the Erse, Irish, or Welsh. It has two genders, masculine and feminine; three degrees of comparison; and two articles; but the verbs are extremely irregular.

The old woman gave an account of the ancient superstition or religion of the Nottoways; from which one might suppose that John Bunyan had copied his Pilgrim's Progress.

The Nottoways believed, that the soul, after separation from the body, was conducted by a genius to the bank of a large, dark and gloomy river, the allotted residence of the wicked. Across this river lay a long pole, roundish, and of a polish smooth as glass. The spirit was conducted by his genius along this pole; having the same advice given him which Lot's wife had, "*never to look behind.*" The consequence of disobedience to this order immediately proved fatal; for the unhappy spirit slipped his foot, and was instantly precipitated into the river of eternal punishment. But if he reached the opposite bank in safety, a new trial was presented to him. He had to pass, conducted by the genius, through an extensive orchard, where trees of every description presented to the sight the most delicious fruits; but to the sight only; for if the spirit, neglecting the advice of the guide, was induced to touch any of the tempting clusters, he was immediately transformed into a bear or wolf, or some brute animal. If the spirit was fortunate enough to escape from this orchard of temptations, he entered a spacious forest abounding with game of all kinds; but if he did not in this instance also fol-

low closely his guide, he was doomed here to remain, and spend his eternity in the chase of animals. Passing from this forest, he next entered an extensive plain, where groups of men and women were indulging in every species of pleasure. This was the region next to that of eternal bliss, and those were esteemed fortunate who even reached this elysium. But the few who still had fortitude to resist all the joys which here presented themselves, were admitted to the presence of the Great Spirit, with him to dwell in everlasting happiness.

In the Nottoway river, adjoining the Indian land, about five miles from Jerusalem, an ore has been found, supposed by some to contain silver; but the more probable opinion is, that the specimens discovered are only sulphur mixed with the baser metals.

Upon Saturday, the 4th instant, four lots of the poorer part of the Indian settlement (each lot containing 280 acres), were exposed to sale by an act of the legislature, for the purpose of paying the debts of the Nottoway Indians. The first two lots brought four dollars per acre; the third five dollars ninety-four cents; and the fourth five dollars one cent. The terms of the sale were one-fourth cash, and three-fourths in one, two, and three years, secured by a deed of trust given by the purchaser upon the property.

The Nottoway tribe, if we may judge from the looks of the few now remaining, were originally men of good appearance and stature, not darker than a bright mulatto complexion.

MR. PINKNEY AND MR. CLAY.

The following comparison is one of the most dashing things we have seen for a long time. We copy it from the *Kentucky Reporter* for the edification of our readers.

*Extract of a Letter to the Editor, dated
"Washington City, March 4.*

"I perceive much has been written on the merits of Mr. Pinkney and Mr. Clay—the former the most eloquent speaker of the Senate, and the latter of the House. As ample, and I think pretty correct delineations of these gentlemen, have already appeared in a work, entitled "*Letters from Washington,*" published in this city two summers ago, and supposed to have been written by the librarian of the United States Library, I shall not pretend to give any new portraits, but confine myself to a mere comparison of the two orators, in as

brief a manner as possible. Nature has, I think, done more for Mr. Clay than Mr. Pinkney; but Pinkney has more polish and more art. Mr. C. has greater power and command over the mind of his hearers than Mr. P. He moves along with the majesty of a torrent, bearing down all opposition, and overcoming all obstructions: we follow him as if unable to resist, and feel a continued gushing of the blood, and elevation of mind, like that we experience in contemplating the grandeur and sublimity of nature. He pauses not to beautify or embellish, but rolls onward with continued sublimity and elevation. Mr. P. on the contrary, tickles the imagination and fills the ear. He loves to strew his path with the most fragrant and beautiful flowers, and to illuminate his course with the sparkling scintillations of the diamond. He delights to paint to the imagination, and to "body forth the forms of things unknown." His style is singularly polished, chaste and elegant; his figures appropriate and happy; his order lucid and artful; and his learning profound and extensive, on subjects connected with his profession. Mr. C. seems to scorn that ambition which seeks to produce striking effect, and to cast aside every thing that does not enable him to seize at once on the mind and heart. His language is sometimes harsh, but it is always vigorous. Like Shakspeare, he borrows his illustrations and comparisons from nature, and not from books. He attacks and moves the passions, rouses the sensibilities, and but seldom troubles the imagination except to aid him in the object he has in view. His arrangement is never artificial, but always luminous; and his train of reasoning is always original, because it is derived from his own intellectual resources. Mr. C. therefore convinces, while Mr. P. charms and delights. Mr. C. seizes upon the heart, while Mr. P. is playing with the fancy: not that Mr. P. however, is deficient in logical powers; on the contrary, his argumentation is sometimes overwhelming, but it is too much shaped by art, and framed according to the scholastic canons of logic. Mr. C. in condensation, vigour and impetuosity, may be compared to Demosthenes and Patrick Henry—not indeed as Mr. Wirt has made him, but as he was by nature; and Mr. P. to Cicero and Burke, in elegance, comprehension and ornament. In action, in the intonations and management of the voice, Mr. Clay has a decided superiority. His voice is deep, full toned and commanding. Mr. P.'s is harsh, rather feeble, and not

well modulated; it sinks and rises too rapidly for effect, and the ear which is intended to be filled, is often, from this circumstance, disturbed by broken sentences, instead of being gratified by full and harmonious closes. There is certainly a great deal, after all, in the voice of an orator. The finest things said in a discordant and screaming tone, lose their effect and cease to charm; while an ordinary thought delivered in a mellow and musical voice, delights the ear and seizes the attention. The impetuosity and vehemence of Mr. Clay are natural; those of Mr. P. artificial:—in the former they are produced by his subject; in the latter by imitation, and of course not always appropriate. The natural weakness of Mr. P.'s voice compels him at one moment to strain it to its highest pitch; but to avoid monotony and give it something like inflexion, he at the next sinks it to the lowest key, and sinks it so suddenly, that, unless very near him, you lose the close of almost every sentence. On subjects, therefore, in which vehemence is misplaced, he is as vehement as where the nature of the topic demands it. Mr. Clay's tones, on the contrary, are regulated by the feeling he wishes to infuse or the passion he means to excite. He feels himself, and therefore makes his hearers feel.

*Si vis me flere, dolendum est
Primum ipsi tibi.*

In elocution Mr. P. surpasses Mr. Clay, if we consider it as embracing elegance and composition; because, as Quintillian observes, "no one can arrive at it, but by the help of art," and Mr. P. has paid more attention to oratory, as an art, than Mr. C. But in persuasion, which is the chief end of eloquence, Mr. Clay is superior to Mr. Pinkney, though he has not the rhetorical flourishes and embellishments of the last. The former moves forward in an even course, occupied with his subject, and anxious only to impress on the minds of his hearers the truths he wishes to establish; the latter, with the most finished elegance of style and the most perfect mastery of language, glides along like an unruffled current, and captivates the fancy, but does not always satisfy the judgment. Mr. Pinkney speaks from imitation; Mr. C. from nature. The gesticulations and attitudes of the former are borrowed from some bad model; those of the latter, though not the most graceful, have nevertheless the charm of originality, because they are adapted to the expression of feeling, and influenced by the emotions of the

speaker. Mr. Pinkney's eloquence partakes more of the head than the heart, the only source of true eloquence; Mr. Clay's more of the heart than the head. The style of the former is beautiful, and often sublime; that of the latter, sublime, and sometimes beautiful. In genius and judgment they are nearly on an equality; for with both, eloquence, according to Cicero, is "nothing more than copious and florid wisdom." The parallel of those two great men might be drawn to a much greater length; but the want of time prevents me from completing it."

FROM THE NEW YORK AMERICAN.

A controversy is now going on in England on the *theory of life*, which, originating in a mere philosophical inquiry, has now assumed a shape of higher interest, as well in a metaphysical as a theological point of view. Dr. Lawrence is the leader of one party; carrying the doctrines of materialism to their fullest extent. He resolves not only animal life, but rational perception and moral feeling into mere organization, and holds, that the difference of mechanism alone makes the brain of man differ from his watch or an oyster. Dr. Lawrence is adjunct professor of anatomy and surgery in the Royal College of Surgeons, and these doctrines he has often taught from his chair, in the course of his public lectures.

Dr. Abernethy, a name of still higher medical distinction, the senior professor of anatomy in the same institution, has taken the field against these doctrines; and in a course of lectures in which he has exhibited a general view of J. Hunter's physiological system, and his researches in comparative anatomy, has shown, from the evidences of reason and medical and anatomical experience, that life is an original and independent principle of activity, added by the will of the Deity to organized matter, though connected by certain laws with that organization; and that in man, a third principle, a rational spirit, is added to life and structure. Sir Charles Morgan, a man of far inferior abilities to Lawrence, has appeared as his squire, in the controversy, in a pompous and confused work, called *Sketches on the Philosophy of Life*. A number of smaller works have also appeared, and the whole controversy has been admirably well summed up by the Rev. Mr. Rennel, in a work which would be well worthy republication in this country. In

the course of this controversy, the system of Gall has been attacked and defended with much warmth; and it seems to be pretty clear, that Gall has generalized and theorized to an unwarrantable extent, from a few very curious and important facts and many absurd and fantastic analogies.

We cannot help observing, that if any American medical professor had openly taught the doctrines avowed by Lawrence and Morgan, we should have been branded at once by the English literati as a nation of atheists.

LAW CASE.

An extraordinary case was determined in the Fayette circuit court during the present term. The circumstances are in substance as follow:

About forty-five years ago, a white woman in the state of Maryland, had a mulatto child and named him Jack; he fell by some means into the hands of a white man, in the neighbourhood, perhaps bound to him, who after raising Jack to manhood, fraudulently sold him to a man in the state of Kentucky, from whom he was purchased by a gentleman of this county. Jack still remembering to have heard it said, that he was the son of a white woman, and of course entitled to his freedom, and understanding that he could procure a witness, in the county of Pendleton, to prove that fact, about ten years ago he ran away from his master, and went in pursuit of the witness, and found him; he returned to Lexington, and got a lawyer to commence suit for him. The suit progressed for some years and was dismissed.

It was again commenced, and on the calling of the suit, 3 or 4 years ago, the witness was present, and gave in his testimony. He was an old, infirm, intemperate and illiterate man, supposed to be in his dotage, and withal a very visionary man that never had much regard for truth.

The witness stated, that he knew Jack when a boy, that he was raised in the state of Maryland, that it was generally known in the neighbourhood, that he was the son of a white woman: he well remembered him, from the circumstance of his having a *scald head*, &c.

Many witnesses were called to invalidate the testimony of this witness; even his own son stated, that he did not think any reliance ought to be placed on his father's statement; that the old man was in the

habit of telling marvellous tales, and that he had heard him say, he knew nothing about Jack in reality.

However, the jury upon this testimony, and after inspection, discovering that he had marks of a scald head, and an aquiline nose, brought in a verdict for the plaintiff. The counsel for the defendant moved the court for a new trial, the verdict being contrary to evidence. The court granted it without hesitation.

The testimony was agreed upon between the parties, and taken down to save future trouble; which testimony spoke but little for Jack, and the case continued down to the present hearing; the plaintiff relied on the same testimony, being unable to procure better in this country. A jury was impanelled, the evidence read, the plaintiff was inspected, and the cause ably argued on both sides. The court decided, upon instruction being asked, that the "onus probandi," or proof of his freedom laid upon the plaintiff; that the jury was not to presume him free by his appearance. The jury returned, (every person present anticipating Jack's gloomy fate,) and reported to the court, that one of the jury had communicated very important facts, and that they wished him sworn. The juryman stated (after being duly sworn,) that about 30 years ago, he was at the house of a Mr. — in the state of Maryland, where he staid all night; that he perfectly recollected there was a mulatto boy living with him about 13 or 14 years old; that the said boy wore a cap and assisted him in feeding and attending to his horses; he inquired of Mr. — the cause of the boy's wearing the cap, who stated, that the boy had a *scald-head*, and that he was the son of a white woman in the neighbourhood: the witness seemed well acquainted with the local situation of the country, stating that it was near Hagerstown. The testimony appeared almost miraculous, at once redeeming the cause from the utmost doubt, to the most absolute certainty, to the astonishment and gratification of the parties on both sides of the question, and every person present. The jury returned to their room, and after a few minutes brought in a verdict for the plaintiff. One of the jury has since informed the writer that his own mind had been made up on the subject, against the plaintiff, and nothing saved him but the testimony of the juryman.

I will also state, much to the credit and humanity of the defendant, that he was

perfectly content that Jack should gain his freedom provided he was entitled to it.
[*Kentucky Reporter.*]

MR. RATHBONE.

We have seldom read a more striking trait, than is contained in the extract given below, from an account of a public meeting held in Liverpool on the 24th of February last, for the purpose of addressing the new king, George IV. The Mr. Rathbone, whose conduct on the occasion will attract universal esteem, is of the Society of Friends, and at the head of one of the first mercantile houses of Liverpool.

"During the reign of George III. (said the orator) the arts, sciences, agriculture, manufactures, and commerce of the country had risen to unparalleled greatness.— (Here some confusion was heard in the court, in the midst of which—)

"Mr. Rushton addressed the mayor. A quaker gentleman, whose religious sentiments had prompted him to remain covered in the meeting, had just been insulted by an individual there who wished to take off his hat in a rude, and indeed unauthorized manner; and he trusted the mayor would protect the gentleman and the meeting from such an outrage. It was not to be borne, that a man's principles should be so insulted. (Here much violent hissing and applause ensued, during which the quaker stood covered. The mayor was rising to interfere, when—)

"Mr. Adam Lodge exclaimed, 'If people will not conform to the decorums of society, they ought to keep out of that society.' (A loud burst of disapprobation, mingled with some applause, now ensued, in the midst of which—)

"Mr. Rathbone, who sat on the bench near the mayor, stood up, placed his hat on his head, and was cheered with the most enthusiastic plaudits. It had a great effect in the meeting. When silence was restored, he stated, that as a quaker, he had thus acted to reply to the intolerant expression just used. It was hard indeed if men who were known to be as truly attached to the constitution as many who made higher professions, were to be excluded from meetings on national occasions, because they might differ from others in religious opinions; and he would insist upon the right which every sect had to manifest their opinions of a monarch, whose liberal conduct in such particulars was one of his brightest honours.

"Dr. Crompton declared he had never witnessed any thing more honourable to an individual than this conduct of Mr. Rathbone. He should never forget it whilst his memory held its seat. Surely Mr. Lodge would reply to it if he could.

"Mr. Hollinshead hoped the harmony of the meeting would not be disturbed by this incident. For his own part, if gentlemen wished to be covered, even to prevent cold, he would have them to be so; but particularly if religious sentiments prompted it, he would be the last to object to it. The mayor assented." [Nat. Gaz.]

Sir Watkin Williams Wynn, has planted, within the last five years, in the mountainous lands in the vicinity of Langollen, situated from 12,000 to 14,000 feet above the level of the sea, 30,000 oaks, 63,000 Spanish chesnuts, 102,000 spruce firs, 110,000 Scotch firs, 90,000 larches, 30,000 wych elms, 35,000 mountain elms, 80,000 ash, and 40,000 sycamores, all of which, are, at this time, in a healthy and thriving condition.

Captain Barclay, the Pedestrian.—Extract of a letter from Forres, Scotland, dated Feb. 19, 1820:—"Do you recollect the far-famed Barclay, the person who walked 1000 miles in 1000 hours? He was here yesterday, and got a *bawbee* as a common beggar. He is begging for six weeks, on a *wager* of 6000 pounds sterling, to subsist as a common beggar on what he can get, and sleep in a barn, &c. &c."

A child of one of the crew of his majesty's ship *Peacock*, during the action with the United States vessel *Hornet*, amused himself with chasing a goat between decks. Not in the least terrified by the destruction and death all around him, he persisted, till a cannon ball took off both the hind legs of the goat; when seeing her disabled, he jumped astride her, crying "Now I've caught you." This singular anecdote is related in a work called "Visits of Mercy, being the second journal of the stated preacher to the hospital and almshouse, in the city of New York, by the Rev. E. S. Ely."

Poetry.

DEATH OF DECATUR.

Did he gasp out his life upon victory's bed,
For his home—for his country—for freedom,
and fame;

Did the eagle-flag wave in the wind, o'er his head,
And his gallant crew mournfully call on his name,
As life was fast wasting away from his frame?

Did he die where the brave die—on battle's red breast—

His sword gleaming fiercely, and brilliant his plume?

Did he sink in his fame like the sun in the west,
And win the bright garland undying in bloom,
Which memory wreathes round the warrior's tomb?

Did he die on the dearly-loved ocean of blue,
With Lawrence, his brave, his heroic compeer—

Deep wounds in his bosom, and pallid his hue—
Whilst even the foeman shed sympathy's tear
For the valiant cut off in his joyous career?

Not such was life's last closing moment to him,
Not such the fair sunset that guided the day;
He died not where war-clouds hung sable and dim,

And as his bold spirit escaped from its clay
It went not on battle's broad pinions away.

Oh no! as his agony fled his breath
No proud note of glory, of triumph rung loud;
When fate frowned in wrath—when the angel of death

Came sweeping along on his sulphury cloud,
The fair hand of victory wove not his shroud.

Let oblivion hide how the warrior fell!

Be it ever involved in obscurity's night—

But forget not his life—let fond memory tell

When heroes have met in the glorious fight,
How the ocean hath witness'd his skill and his might.

FLORIO.

[Northern Whig.]

TROUT FISHING.

The following apostrophe, taken from a poem ascribed to the late Dr. Wolcott, proves him to have been no friend to piscatory amusements.

Why fliest thou away with fear?

Trust me, there's nought of danger near;

I have no wicked hook,

All cover'd with a staring bait,

Alas, to tempt thee to thy fate,

And drag thee from the brook.

Oh! harmless tenant of the flood,

I do not wish to spill thy blood—

For nature unto thee,

Perhaps hath giv'n a tender wife,

And children dear to sweeten life—

As it hath done to me.

Enjoy thy stream then, harmless fish;

And, when an angler, for his dish,

Through gluttony—vile sin!

Attempts, a wretch! to pull thee out,

Heaven give thee strength, O gentle trout,

To pull the rascal in!

Patent Machine Paper of J. & T. Gilpin, Brandywine.

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